

KATE McKENNA, AICP
Executive Officer

MINUTES OF

LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

Adopted May 22, 2006

Regular Meeting

Monday, April 24, 2006, 4:00 p.m.

**Board of Supervisors Chambers
Monterey County Government Center
168 West Alisal, First Floor
Salinas, California**

The meeting of the Local Agency Formation Commission (LAFCO) of Monterey County was called to order by Chair Calcagno at 4:07 p.m. in the Monterey County Board of Supervisors Chambers. Commissioner Shirrel led the Pledge of Allegiance.

ROLL CALL

Members Present

Chair Calcagno (*County Member*)
Commissioner Armenta, Alternate (*County Member*)
Commissioner Darington, Alternate (*Public Member*)
Commissioner DiMaggio (*Public Member*)
Commissioner Gourley, Alternate (*City Member*)
Commissioner Perkins (*Special District Member*)
Commissioner Shirrel, Alternate (*Special District Member*)

Members Absent

Commissioner Caballero, Vice-Chair (*City Member*)
Commissioner Costello (*City Member*)
Commissioner McGowan (*Special District Member*)
Commissioner Smith (*County Member*)

Staff Present

Kate McKenna, AICP, Executive Officer
Dennis LeClere, LAFCO Counsel
Rachelle Jones, LAFCO Clerk

Item 4: Welcome To New LAFCO Senior Analyst

Executive Officer McKenna announced new LAFCO Senior Analyst Thomas McCue. Mr. McCue approached the podium and presented a brief introduction to the Chair and Commissioners.

Item 5: Minutes

5.a Approval of Amended Minutes of the February 27, 2006 Regular LAFCO Meeting.

Upon Motion of Commissioner Gourley, seconded by Commissioner Perkins, amended minutes of the February 27, 2006 Regular LAFCO meeting were approved, by the following vote:

AYES: Commissioners Gourley, Perkins, Calcagno, DiMaggio, and Shirrel
NOES: None
ABSTAIN: Commissioner Armenta

5.b Approval of Minutes of the March 27, 2006 Regular LAFCO Meeting.

Upon Motion of Commissioner Gourley, seconded by Commissioner Perkins, minutes of the March 27, 2006 Regular LAFCO meeting were approved, by the following vote:

AYES: Commissioners Gourley, Perkins, Calcagno, DiMaggio, and Shirrel
NOES: None
ABSTAIN: Commissioner Armenta

Item 6: Public Comment:

None

Item 7: Commissioner Comment:

None

Item 8 a - b: Consent Agenda:

Executive Officer McKenna provided staff report.

Upon Motion of Commissioner Perkins, seconded by Commissioner DiMaggio, consent agenda items: receive check register for March 2006, and receive status report on anticipated future Agenda Items, were unanimously approved.

Item 9: Public Hearings

**9.a Continued consideration of the Carmel Valley Incorporation Proposal
(LAFCO File #03-10). Accept status report.**

Executive Officer McKenna provided report with staff recommended time-line which would allow the proposal to be brought to a hearing in September 2006 and an election in June 2007.

She made reference to the number of steps yet to be completed prior to the proposal being ready to bring to public hearing. She also reviewed the other applications and work program priorities that would be delayed if the incorporation proposal is given top priority.

Commission Comments

Commissioner DiMaggio questioned whether a special meeting in August would help with the time-line. Ms. McKenna replied in the negative. He then expressed concerns relating to the accuracy of the fiscal data, if there are delays in acting on the proposal. Counsel LeClere provided direction. Commissioner Perkins and Shirell also voiced concerns regarding the fiscal data.

Chair Calcagno opened item to the floor.

Public Comment

Max Chaplin, President Carmel Valley Forum, asked that the staff recommended time-line be expedited to allow for this to be brought to public hearing no later than July 2006. Attorney, Frank Lunding, made reference to the fiscal data and the accuracy of that information. Glenn Robinson, President of Carmel Valley Association, requested that a sense of urgency be given to this matter.

Chair Calcagno closed item to the floor.

Continued Commissioner Comments

Chair Calcagno asked that the Carmel Valley Incorporation proposal time-line be expedited by staff. Commissioner DiMaggio said that he has no problem with Glenn Robinson's request. Commissioner Perkins agreed that this item needs to be moved to a LAFCO priority.

Upon Motion of Commissioner DiMaggio, seconded by Commissioner Perkins, Carmel Valley Incorporation Proposal (*LAFCO File #03-10*) report was unanimously accepted with direction to LAFCO Executive Officer to expedite remaining steps of the proposal.

9.b Consideration of a Proposal Submitted by Resolution by the City of Soledad for the "Orchard Villas Reorganization" Involving Annexation of 29.95± Acres to the City of Soledad and Detachment of 29.95± Acres From the Resource Conservation District of Monterey County and the Detachment of 29.95± Acres from the Mission Soledad Rural Fire Protection District (*LAFCO File No. 05-12*).

Contract Analyst, Michael McCormick, provided staff report and presentation.

Commission Comments

Chair Calcagno opened item to the floor.

Debbie Hale of TAMC spoke about the need to impose a regional impact fee on this and future developments in the County. Charles McKeag, Vice President Award Homes, thanked Executive Officer McKenna and staff for moving this forward during such a busy time, and asked that the fee not be imposed at this time. Noelia Chapa, City Manager City of Soledad, said

that the City of Soledad has not yet adopted the TAMC regional impact fee, and addressed other concerns. Hans Jongens spoke about increases in fuel costs and land-loss.

Chair Calcagno closed item to the floor.

Commissioner Comment

Commissioner Perkins spoke about the need for uniformity within the Cities concerning the fee. Commissioner Gourley expressed concern over TAMC prematurely bringing this to LAFCO, while the fee is still in the process of being discussed with the Cities. Chair Calcagno said that he supports the regional impact fee, the discussion of the fee has gone on for several years, and it has to start being imposed somewhere. Commissioner Perkins said that he would hate to vote against this proposal, because it fits all of the LAFCO criteria, but that LAFCO must make a stand concerning the fee. Counsel LeClere said that establishment of fees is usually imposed by the State, Counties, or Cities. Further discussion took place with the Commission and Counsel regarding the regional impact fee.

Upon Motion of Commissioner Gourley, seconded by Commissioner Armenta, proposal submitted by resolution by the City of Soledad for the “Orchard Villas Reorganization” involving annexation of 29.95± acres to the City of Soledad and detachment of 29.95± acres from the Resource Conservation District of Monterey County and the detachment of 29.95± Acres from the Mission Soledad Rural Fire Protection District (*LAFCO File No. 05-12*), was unanimously approved.

Following the above Motion, Commissioner Perkins made a Motion to direct Executive Officer McKenna to submit a letter to all agencies notifying them that they must include the TAMC regional impact fee as part of the CEQA mitigation process. Upon advice of Counsel LeClere this item will be placed on a future agenda.

9.c Consider Final Fiscal Year 2006-07 LAFCO Budget and Work Program.

Executive Officer McKenna provided staff report. There was no public comment.

Upon Motion of Commissioner Gourley, seconded by Commissioner Shirrel, Final Fiscal Year 2006-07 LAFCO Budget and Work Program were unanimously adopted.

Item 10: Other Business

10 .a LAFCO Fiscal Year 2005-06 Third Quarter Financial Report

Executive Officer McKenna provided report.

Upon motion of Commissioner Gourley, seconded by Commissioner Perkins, LAFCO Fiscal Year 2005-06 third quarter financial report was approved.

10 .b Consider Amendment to Employment Agreement for LAFCO Executive Officer.

Chair Calcagno reported on the decision reached by the evaluation subcommittee to amend the Executive Officer Employment Agreement.

Upon motion of Commissioner Gourley, seconded by Commissioner Perkins, Amendment to Employment Agreement for LAFCO Executive Officer was unanimously approved effective July 1, 2006.

Item 11: Executive Officer's Report

Executive Officer McKenna presented her first Executive Officer's Weekly report based on the evaluation subcommittee's recommendation to do so. Ms. McKenna also reported on the Notice of Vacancy for Public and Alternate Public Members on LAFCO. Chair Calcagno appointed Commissioner Gourley to serve as alternate for the City Member representation on the Nomination Committee, in the event that Commissioner Costello is unable to attend the nomination meeting.

Item 12: Correspondence

None

Item 13: Adjournment

On motion of Chair Calcagno, there being no objection, the meeting was adjourned at 5:58 p.m. to the next regular LAFCO meeting to be held on Monday, May 22, 2006 at 4:00 p.m. in the Board of Supervisors Chamber, 168 W. Alisal St., First Floor, Salinas, California.

Respectfully Submitted,

Rachelle Jones
LAFCO Clerk